

**IN THE UNITED STATES COURT OF APPEALS FOR  
THE DISTRICT OF COLUMBIA CIRCUIT**

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STATE OF NORTH DAKOTA, <i>et al.</i> ,	)	
	)	
Petitioners,	)	
	)	
v.	)	No. 15-1381 and consolidated
	)	cases
UNITED STATES ENVIRONMENTAL	)	
PROTECTION AGENCY, <i>et al.</i> ,	)	
	)	
Respondents.	)	

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**MOTION TO WITHDRAW AS PETITIONER**

Now comes Petitioner North Carolina Department of Environmental Quality (“NCDEQ”) and hereby moves to withdraw as a petitioner in these consolidated cases. This voluntary withdrawal is appropriate as there is no direct claim made against NCDEQ in these cases, and this withdrawal will not materially prejudice the rights of the other parties. NCDEQ recommends that all parties bear their own costs.

Date: April 12, 2017

Respectfully submitted,

JOSH STEIN  
Attorney General of North Carolina

/s/ Asher P. Spiller

Asher P. Spiller

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**CERTIFICATE OF COMPLIANCE**

This document complies with the word limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 66 words.

/s/ Asher P. Spiller

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of April, 2017, I caused a true and correct copy of the foregoing Motion to Withdraw as Petitioner to be served electronically through the Court's CM/ECF system on all ECF-registered counsel.

/s/ Asher P. Spiller